

## Jeanette Thurber Barzelay

### Partner

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Jeanette Barzelay is an experienced commercial litigator focusing on complex business disputes involving a broad range of sectors and legal issues.

With a demonstrated track record representing and advising clients in commercial pre-litigation and litigation matters in state and federal court, Jeanette represents clients in commercial matters involving trade secret and technology disputes, contractual disputes, and employment mobility, as well as unfair competition and related business torts.

Jeanette also has significant experience defending consumer class actions, including the successful defeat of three federal putative class actions brought by employer-purchasers of an innovative workers' compensation insurance product at the class certification stage.

### Representative Experience

Jeanette's experience includes:

- Defeated trade secret misappropriation and business tort claims brought by a prospective business partner against a fintech company, alleging \$100 million in damages. Following judgment with prejudice, obtained fee award under Civil Code section 3426.4 for bad faith prosecution of trade secret misappropriation.\*
- Obtained dismissal of federal putative class action against a Fortune 100 technology company alleging unlawful business practices and breach of terms of service.\*
- Obtained pre-litigation resolution of unfair competition and Consumer Legal Remedies Act claims for a Fortune 100 technology company, avoiding litigation and monetary settlement.\*
- Represented consulting firm in internal investigation of trade secret theft and anti-competitive conduct, resulting in successful confidential settlement.\*

- Represented a large global technology company in litigation with a competitor involving claims for trade secret misappropriation and related business torts and alleged damages of over \$100m. The matter was settled favorably in the lead-up to trial.\*
- Defeated three federal putative class actions at the class certification stage, obtained successful summary judgment and defense verdicts, and settled numerous actions on favorable terms for a group of insurance and financial services affiliates in a large portfolio of state and federal litigations and regulatory proceedings in California and nationally, alleging contract, business tort, and unfair competition claims.\*
- Successfully defeated a cross-motion for summary judgment on behalf of a large insurance brokerage firm in multiple California state litigations involving contract, trade secret, and employment-related disputes.\*
- Represented numerous companies in pre-litigation matters involving trade secrets, employee mobility, and contract disputes.\*
- Obtained dismissal on preemption and pleading grounds for a Fortune 100 pharmaceutical manufacturer in a federal lawsuit involving product liability claims for negligence, off-label marketing, and violation of California consumer protection statutes.\*
- Obtained dismissal for lack of personal jurisdiction of product liability claims brought by hundreds of non-California plaintiffs against a Fortune 100 pharmaceutical manufacturer in coordinated California proceedings. Dismissal was affirmed on appeal by the California Court of Appeal.\*
- Represented an Arizona-based insurance intermediary and independent marketing organization in multiple California litigations alleging the improper sale and marketing of insurance products and related retirement investments, in coordination with national litigation.\*
- Obtained favorable settlement for insurance syndicates in a commercial property coverage dispute and bad faith litigation involving complex factual issues and an alleged \$11m in compensatory and punitive damages. The matter was successfully resolved through mediation for a small fraction of the claimed damages.\*
- Represented California purchasers of an indexed universal life insurance product in a federal class action culminating in a three-week federal jury trial.\*

*\*Matters handled prior to joining Foley.*

## Awards and Recognition

- *The Legal 500 United States*, Trade Secrets (Litigation and Non-Contentious Matters)

## Affiliations

- Bar Association of San Francisco

## Languages

- English
- Spanish

## Practice Areas

- [Commercial Litigation](#)
- [IP Litigation](#)
- [Litigation](#)

## Education

- Georgetown University Law Center (J.D., magna cum laude, 2008)
- University of Georgia (B.A. summa cum laude, 2005)

## Admissions

- California
- U.S. District Court for the Central District of California
- U.S. District Court for the Northern District of California
- U.S. District Court for the Eastern District of California
- U.S. District Court for the Southern District of California
- U.S. Court of Appeals for the Ninth Circuit